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September 29, 2008

VIA FACSIMILEHonorable Jack B. Weinstein
United States District Judge
Eastern District of New York
United States Courthouse
225 Cadman Plaza East, Room 651
Brooklyn, New York 11201-1818Re: U.S. v. Julian Tzolov, et al. - Cr. No. 08-370 (S-2) (JBW)

Dear Judge Weinstein:

We are counsel to defendant Julian Tzolov in the above-referenced action. At the pretrial hearing on Friday, September 26, 2008, Your Honor ruled, in connection with our application for a bail modification, that Mr. Tzolov continue wearing an electronic monitoring bracelet and continue to be confined under home detention until he brings back \$2 million that he allegedly transferred to Bulgaria. Obviously, we accept that ruling. However, and at the risk of offending the Court, there are very serious practical problems with Mr. Tzolov's current bail conditions that we feel need further explicating.

Mr. Tzolov's current bail conditions prevent him from leaving his apartment for any reason, except to visit his attorney, go to court, or for a medical emergency. The practical reality is that Mr. Tzolov cannot leave his apartment even to do simple, but important, things such as taking out the garbage, going to the gym, and going to the grocery store and pharmacy. To do these errands, Mr. Tzolov, who lives alone, relies upon friends to help him. Unfortunately, but understandably, because of their own work and personal obligations, Mr. Tzolov's friends are not always available to attend to Mr. Tzolov's errands. As a result, Mr. Tzolov is often unable to obtain even the most trivial items, such as a carton of milk, a bottle of aspirin, or a newspaper.

The exceptions for visiting his attorneys and going to court provide little respite from the onerous bail conditions. First, Mr. Tzolov is not scheduled to appear in court again until trial, which is 7 months away (April 27, 2009). Second, when visiting his attorneys, Mr. Tzolov is given a window of time that permits him to go only from his apartment to his attorneys and back, leaving no time for even a quick stop at a bodega. Third, Mr. Tzolov must give Pretrial Services 48-hours advance notice prior to visiting his attorneys, making it difficult for us to arrange meetings quickly with our client.

*Does the government object?
If not, these new
terms will be
approved. For
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9/29/08*

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Your Honor was concerned that Mr. Tzolov is a flight risk because of the \$2 million that he allegedly transferred overseas. At the same time, Your Honor recognized that Mr. Tzolov's current bail conditions are severe. We respectfully request that Your Honor modify Mr. Tzolov's bail conditions in a way that satisfies the Court's concerns about both flight and Mr. Tzolov's well-being. The modification we propose is slight compared with our previous application in which we sought removal of the bracelet and elimination of home detention. In this current application, we respectfully ask the Court to modify Mr. Tzolov's bail conditions as follows:

- Allow Mr. Tzolov to go food shopping 3 times a week;
- Allow Mr. Tzolov to visit the gym - which is attached to Mr. Tzolov's apartment building - 5 times a week;
- Expand Mr. Tzolov's confinement from his apartment to his building so that he may take out his garbage when needed; and,
- Allow Mr. Tzolov to visit his attorneys without 48-hour advance notice to Pretrial Services, provided that Pretrial Services receives advance notice.

We have discussed the aforementioned issues with Pretrial Services. Pretrial Services takes no position on modifying Mr. Tzolov's bail conditions.

We respectfully request the opportunity to make this application orally, if the Court directs, before Your Honor.

Respectfully submitted,



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ILS:ezs

cc: Gregory Andres, Esq.
Michael Ilaria, Pretrial Services
Mr. Julian Tzolov